

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ALBERTO TORRES,)	
Petitioner)	
)	
v.)	C.A. No. 05-30226-MAP
)	
KATHLEEN M. DENNEHY,)	
Commissioner of the Mass. Dept.)	
Of Corrections,)	
Respondent)	

ORDER REGARDING PETITIONER'S
MOTION FOR CERTIFICATE OF APPEALABILITY
(Docket No. 74)

May 19, 2009

PONSOR, D.J.

Petitioner-Appellant Alberto Torres has moved for a Certificate of Appealability with regard to Claims Two, Three, and Four of his Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254. While this court finds only rarely that the standards for issuance of a Certificate of Appealability are satisfied, in this case the court will conclude that, despite its confidence in the correctness of its ruling on the petition, the issues raised with regard to Claims Two, Three, and Four might be sufficiently debatable among jurists of reason to justify issuance of the Certificate. Based upon this, the Motion for Certificate of Appealability (Dkt. No. 74) is hereby ALLOWED, without opposition.

It is So Ordered.

/s/ Michael A. Ponsor

MICHAEL A. PONSOR

U. S. District Judge